



MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

ICIC
Agenda Item No. 6(A)

TO: Honorable Chairman Juan C. Zapata
and Members, Infrastructure and Capital Improvements
Committee

DATE: March 12, 2013

FROM: Christopher Agrippa
Division Chief, Clerk of the Board Division

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Infrastructure and Capital Improvements Committee:

January 16, 2013, Infrastructure and Land Use Committee

CA/mf
Attachment



CLERK'S SUMMARY OF Meeting Minutes

Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

Infrastructure and Land Use Committee

Barbara J. Jordan (1) Chair; Juan C. Zapata (11) Vice Chair; Commissioners Bruno A. Barreiro (5), Jose "Pepe" Diaz (12), Audrey M. Edmonson (3), and Jean Monestime (2)

Wednesday, January 16, 2013

2:00 PM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Audrey M. Edmonson, Barbara J. Jordan, Jean Monestime, Juan C. Zapata.

Members Absent: Bruno A. Barreiro.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Maryse Fontus, Commission Reporter*
(305) 375-4906

1A INVOCATION AS PROVIDED IN RULE 5.05
(G)

Report: *The Infrastructure and Land Use Committee*
convened in a moment of silence at 2:42 p.m.

1B

ROLL CALL

Report: *In addition to the Committee members, the following staff members were also present: Deputy Mayor Jack Osterholt; Assistant County Attorneys Geri Bonzon-Keenan, Dennis Kerbel, Sarah Davis, and Debra Herman; and Deputy Clerks Jovel Shaw and Maryse Fontus.*

Assistant County Attorney Geri Bonzon-Keenan advised Committee members of the following changes to today's (1/16) agenda:

- Agenda Item 2A, which is a resolution authorizing the conveyance of County-owned land to the Nigerian-American Foundation, should be added;*
- Agenda Item 3F, which is a resolution authorizing approval of the Landfill Gas Utilization Systems Supplemental Agreement No. 1, should be added; and*
- Agenda Item 1F2 has a scrivener's error; the version that was printed in the Preliminary Agenda included the notations for the Substitute at first hearing, and that item has been reprinted to delete the notations.*

It was moved by Commissioner Diaz that the Committee approve today's (1/16) agenda with the changes noted by the Assistant County Attorney, as listed in the Board of County Commissioners' Chairwoman Rebeca Sosa's memorandum dated January 16, 2013, entitled, "Requested Changes to the Infrastructure and Land Use Committee Agenda." This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 5-0; (Commissioner Barreiro was absent).

1C

PLEDGE OF ALLEGIANCE

Report: *The Pledge of Allegiance followed the moment of silence.*

1D

SPECIAL PRESENTATIONS

1D1

130002 Service Awards

Rebeca Sosa

PRESENTATION OF SERVICE AWARDS TO THE
FOLLOWING EMPLOYEES:

Presented

PAYNES BIVINS - PWWM - 30 YEARS
LARRY KINSEY - PWWM - 30 YEARS
WILLIAM A. CHITTY, JR. - WASD - 30 YEARS
ZEPHANIAH A. FEARON - WASD - 30 YEARS
FERNANDO TUN - WASD - 30 YEARS

1E DISCUSSION ITEMS1F PUBLIC HEARINGS

1F1

122159 Ordinance

Lynda Bell,

Rebeca Sosa

ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-
DADE COUNTY CODE WAIVING CONTRACTOR
LICENSE APPLICATION FEES FOR MILITARY
VETERANS, WAIVING RENEWAL FEES AND
CONTINUING EDUCATION REQUIREMENTS FOR
ACTIVE DUTY MEMBERS OF THE UNITED STATES
ARMED FORCES, DELETING OBSOLETE CERTIFICATE
OF COMPETENCY LICENSE CATEGORIES, CREATING
AUTHORIZED EMPLOYEE CERTIFICATE OF
COMPETENCY, CLARIFICATION OF THE
CONSTRUCTION TRADES QUALIFYING BOARD'S
INTERPRETIVE AND RULE MAKING AUTHORITY,
AMENDING REFERENCES TO COUNTY
DEPARTMENTS, AMENDING OBSOLETE REFERENCES
AND CORRECTING SCRIVENERS ERRORS, PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

Withdrawn

Report: (SEE AGENDA ITEM 1F1 SUBSTITUTE;
LEGISLATIVE FILE NO. 122541.)

1F1 SUB

122541 Ordinance

Lynda Bell,

Jose "Pepe" Diaz, Rebeca Sosa

ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-DADE COUNTY CODE □WAIVING CONTRACTOR LICENSE APPLICATION FEES FOR MILITARY VETERANS, WAIVING RENEWAL FEES AND CONTINUING EDUCATION REQUIREMENTS FOR ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, DELETING OBSOLETE CERTIFICATE OF COMPETENCY LICENSE CATEGORIES, CREATING AUTHORIZED EMPLOYEE CERTIFICATE OF COMPETENCY, CLARIFICATION OF THE CONSTRUCTION TRADES QUALIFYING BOARD'S INTERPRETIVE AND RULE MAKING AUTHORITY, AMENDING REFERENCES TO COUNTY DEPARTMENTS, AMENDING OBSOLETE REFERENCES AND CORRECTING SCRIVENERS ERRORS, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 122159)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Commissioner Diaz asked to be added as a co-sponsor to this item.

Hearing no other questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as presented.

1F2

122471 Ordinance**Lynda Bell**

ORDINANCE RELATING TO ZONING; MODIFYING REGULATIONS REGARDING CHAIN LINK FENCES AND FINISHING OF FENCE SIDES; AMENDING SECTIONS 33-11 AND 33-311 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 122312]

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Monestime

Vote: 3-2

No: Jordan, Edmonson

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Chairwoman Jordan opened the floor for questions or comments from members of the Committee.

Commissioner Diaz noted some neighborhoods do not allow chain link fences in front of houses. He asked whether the sponsor had taken this into account when she proposed this ordinance, and said he wished she was present to discuss this item. He inquired whether this proposed ordinance would apply in municipalities, and whether this ordinance would supersede their zoning regulations.

Assistant County Attorney Dennis Kerbel indicated that the proposed ordinance would be part of the County Zoning Code and would not apply countywide. He said that if a municipality had a different regulation, the proposed ordinance would not supersede it. He noted this ordinance would delete a specific restriction in the County Zoning Code, and would not delete other requirements in the Code. He stated that in most residential districts, the proposed ordinance would authorize the use of chain link fences, unless there was a separate homeowners' agreement which restricted their use.

Commissioner Diaz reiterated that he would prefer to hear from the sponsor before taking any action on the proposed ordinance.

In response to Commissioner Edmonson's

question, Assistant County Attorney Kerbel confirmed that this proposed ordinance would only apply in unincorporated Miami-Dade County.

Commissioner Edmonson said it appeared that the sponsor was only concerned about the street side, or the aesthetics in front of the house, and not with the neighbor's side. She noted she concurred with Commissioner Diaz, because if a property owner had a neighbor who erected this type of fence, he/she would have no say in the matter even though this could lower the value of his/her property. Commissioner Edmonson indicated that she could only support moving this proposed ordinance forward without a recommendation.

Commissioner Monestime noted he concurred with Commissioners Diaz and Edmonson, and would prefer to hear from the sponsor before voting on this item. He said that he would support moving this proposed ordinance forward without a recommendation.

Commissioner Zapata asked whether ordinances prohibiting the use of chain link fences were approved in the past; whether the foregoing proposed ordinance would reverse them; and if these ordinances were being reversed for legal imperatives.

Assistant County Attorney Kerbel confirmed that the foregoing proposed ordinance would reverse ordinances currently in effect, but that they were not being reversed for legal imperatives.

Chairwoman Jordan indicated that she voted in favor of this item during the first reading because she wanted to thoroughly understand the issue before voting against it. She pointed out that this item was reversing a regulation that was intended to make the neighborhoods more attractive, and reversing this regulation would mean that the Commission was regressing. She pointed out that in a neighborhood, which was part of unincorporated Miami-Dade County, had no chain link fences, and no homeowners' association, nothing would prevent a homeowner from putting a chain link fence in front of their home.

Assistant County Attorney Kerbel confirmed that this was the case generally; however, he noted, a specific property may be subject to an underlying zoning approval that would restrict this. He advised that it would be necessary to go property

Infrastructure and Land Use Committee

DRAFT

Meeting Minutes

Wednesday, January 16, 2013

by property or development by development to determine whether these types of fences were allowed.

Chairwoman Jordan noted at least three commissioners wanted to move this item without a recommendation, but she would vote against it.

Commissioner Diaz pointed out that perhaps the sponsor would put forth an amendment that would render the item more acceptable.

Commissioner Monestime said that he could not support the portion of this item that allows chain linked fences in front of a property.

Hearing no further questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as presented.

1F3

122417 Ordinance

Dennis C. Moss,

Audrey M. Edmonson

ORDINANCE REQUIRING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE REPORTS TO THE BOARD PRIOR TO AND AFTER PRIMARY AND GENERAL ELECTIONS; CREATING SECTION 12-1 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Barreiro

Report: Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.

Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as presented.

1F4

122325 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-253 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PERTAINING TO USES PERMITTED IN THE LIBERAL BUSINESS DISTRICT; PROVIDING FOR MEMBERSHIP WAREHOUSES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconded: Diaz

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Chairwoman Jordan opened the floor for questions or comments from members of the Committee.

Pursuant to Commissioner Zapata's question regarding the impact of this item, Mr. Eric Silva, Assistant Director, Development Services Division, Regulatory and Economic Resources (RER), explained that staff members were proposing an amendment to codify an interpretation that they had been using for membership club warehouses. He said that following a developer's request to convert a warehouse located in a Business Zoning District into a Costco, staff members had difficulty determining whether this was allowed. Therefore, they decided to codify this practice to indicate that this type of conversion was allowed in a business district as well as in an industrial district.

Commissioner Zapata asked how this would impact parking, as he assumed that parking was more intensive in membership clubs.

Mr. Silva said that they considered these as retail properties for parking purposes.

Hearing no further questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as presented.

1F5

122397 Ordinance

Barbara J. Jordan,

Jean Monestime, Lynda Bell

ORDINANCE RELATED TO ZONING; MODIFYING
NOTICE AND APPLICATION REQUIREMENTS FOR
ZONING HEARINGS, PROCEDURES FOR ZONING
APPEALS TO BOARD OF COUNTY COMMISSIONERS,
MEMBERSHIP OF DEVELOPMENTAL IMPACT
COMMITTEE AND EXECUTIVE COUNCIL, AND
PROCEDURES GOVERNING EXTENSIONS OF TIME,
CORRECTION OF SCRIVENER'S ERRORS AND
CLERICAL ERRORS, AND DECLARATIONS OF
RESTRICTIVE COVENANTS; AMENDING SECTIONS 33-
6, 33-302, 33-303.1, 33-304, 33-309, 33-310, 33-310.1, 33-
311, 33-313, 33-314, AND 33-316 OF THE CODE OF
MIAMI-DADE COUNTY, FLORIDA; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE (Regulatory and Economic Resources) *Amended*

Report: *See Agenda Item 1F5 Amended, Legislative File
No. 130136, for the amended version.*

1F5 Amended

130136 Ordinance

Barbara J. Jordan,

Jean Monestime, Lynda Bell

ORDINANCE RELATED TO ZONING; MODIFYING NOTICE AND APPLICATION REQUIREMENTS FOR ZONING HEARINGS, PROCEDURES FOR ZONING APPEALS TO BOARD OF COUNTY COMMISSIONERS, MEMBERSHIP OF DEVELOPMENTAL IMPACT COMMITTEE AND EXECUTIVE COUNCIL, AND PROCEDURES GOVERNING EXTENSIONS OF TIME, CORRECTION OF SCRIVENER'S ERRORS AND CLERICAL ERRORS, AND DECLARATIONS OF RESTRICTIVE COVENANTS; AMENDING SECTIONS 33-6, 33-302, 33-303.1, 33-304, 33-309, 33-310, 33-310.1, 33-311, 33-313, 33-314, AND 33-316 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 122397] (Regulatory and Economic Resources)

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Jordan

Seconder: Edmonson

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairwoman Jordan relinquished the Chair to Vice Chairman Zapata.

Vice Chairman Zapata opened the public hearing on the foregoing proposed ordinance.

Mr. Eric Silva, Assistant Director, Development Services Division, Regulatory and Economic Resources (RER), indicated that the proposed ordinance required advertisement in a newspaper of large circulation for administrative reviews. He noted staff was proposing an amendment clarifying that this could be published in any section of the newspaper. Therefore, he stated, the department was proposing to add the following language on page 21, under Section B(2) Notice: "... except that substantial compliance determinations shall be published in the newspaper of largest circulation in Miami-Dade County distributed in a locality where the property subject to the application lies." He said that this was the same language used in regular hearing applications when they were advertised.

Ms. Truly Burton, Executive Vice President, Florida Atlantic Building Association, 4601 Sheridan St, Hollywood, FL, appeared before the Committee in support of the foregoing proposed ordinance, noting she had been working with

County staff on this item for the past nine months to a year. She thanked Deputy Mayor Jack Osterholt for his leadership on this issue, as well as Mr. Mark Woerner, Assistant Director, Metropolitan Planning, RER, and Mr. Silva who would be in charge of implementing this ordinance, once adopted.

Vice Chairman Zapata closed the public hearing after no one else appeared wishing to speak.

Pursuant to Vice Chairman Zapata's question, Assistant County Attorney Bonzon-Keenan advised, if the Board approved this clarification, that a motion should be put forth to recommend Agenda Item 1F5, as amended.

Hearing no further questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as amended.

1F6

122357 Ordinance

Audrey M. Edmonson

ORDINANCE AMENDING SECTION 2-8.2.11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO CONTRACT AUTHORITY FOR SPECIFIC WATER AND SEWER PROJECTS; PROVIDING FOR ACCELERATION OF PROJECTS APPROVED THROUGH THE WATER AND SEWER DEPARTMENT'S MULTI-YEAR CAPITAL PLAN; INCREASING AMOUNT OF CHANGE ORDERS THAT MAYOR OR MAYOR'S DESIGNEE CAN PROCESS FROM \$500,000 TO \$1,000,000; WAIVING COMMITTEE REVIEW FOR VARIOUS ACTIONS OF THE MAYOR OR MAYOR'S DESIGNEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Water & Sewer Department)

Public hearing held and item deferred

Mover: Edmonson

Seconder: Diaz

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Chairwoman Jordan opened the floor for questions or comments from members of the Committee.

Commissioner Zapata pointed out that this proposed ordinance involved a significant amount of money, and the Board would have to approve a consumer rate increase in order to pay for it. He said that he disapproved raising the consumers' rates when the Committee would be removed from the oversight process. He noted he understood that staff members were trying to expedite the process, and asked why this was such a pressing issue.

Mr. Joseph Ruiz, Deputy Director, Water and Sewer Department (WASD), said that this proposed ordinance was modeled on the accelerated ordinance approved by the Board previously, which was still in force, and which was intended to honor the commitments for the water use permit that the County undertook from the South Florida Water Management District. He added that this accelerated ordinance was helping the County honor its obligations pertaining to the previous Consent Order from the Environmental Protection Agency (EPA) and the Department of

Justice with regard to high level disinfection at the South Dade Waste Water Treatment Plant. Mr. Ruiz noted the major project to be implemented under the accelerated ordinance, the South Miami Heights Water Treatment Plant, has yet to be completed. He explained that since the adoption of the accelerated ordinance, some things had changed; for example, previously the Administration required Board authority to advertise, but now the Mayor had that authority.

Mr. Ruiz indicated that WASD supported the present item because it was modeled on the accelerated ordinance, and would reduce the length of the process by six weeks. He said that it would include projects that were part of the new Consent Orders with the EPA and the Department of Justice regarding all of the waste water treatment plants and a pump station. He added that it would also include all of the projects that were in Commissioner Jordan's infrastructure needs report. He indicated that all of these projects were previously approved by the Board in the Department's Comprehensive Capital Improvement Program.

Commissioner Zapata asked for the total cost of the previous program implemented under the accelerated ordinance.

Mr. Ruiz noted it was substantially less than the cost of the program to be implemented under the proposed ordinance.

Commissioner Zapata pointed out that the total figure for the proposed ordinance was \$10.9 billion, and asked the purpose for the accelerated nature of this request. He noted yesterday the commissioners agreed to expedite the completion of the repairs on the Key Biscayne Bridge because this involved an emergency; however, he said he failed to understand the urgency of the proposed ordinance, especially taking into account the reduction in the Board's oversight.

Mr. Ruiz noted the Consent Orders currently under negotiation contained projects from the Capital Improvement Program that had already been approved by the Board, and those particular projects included stipulated penalties for failing to meet the deadlines.

Commissioner Zapata said he was uncomfortable approving an item with such a large cost when the Board would have no oversight; therefore, he

would not support this item.

Commissioner Diaz noted this item was complicated as an emergency situation existed with the water and sewer system; however, the amount required to pay for the repairs – close to \$11 billion – was astronomical.

Mr. Ruiz indicated that the final award would not be discussed at the Committee level, but would have to be approved by the Board.

Pursuant to Commissioner Diaz' question, Assistant County Attorney Sarah Davis clarified that the public hearing would be held before the full Board.

Commissioner Diaz inquired whether this would be a normal or an expedited process. He referred to a similar process that was carried out at the airport to expedite existing contracts. However, the proposed ordinance involved a new procurement; therefore, the normal process should be used, noted the commissioner.

Mr. Ruiz explained that the original accelerated ordinance for water and sewer projects under the Consent Order and the water use permit, currently in place, accelerated the process under a number of conditions. He pointed out that the proposed ordinance simply by-passed the Committee, noting the Board would maintain full oversight over the process.

Commissioner Diaz recalled that the Board recently considered some items, and the Board members expressed regret that these items had circumvented the Committee review process. He noted he understood the need to expedite the proposed ordinance, and would support the item for now, but he had real reservations because of the amount involved.

Mr. Ruiz pointed out that also included in the proposed ordinance was additional authority for the Mayor with regard to approving change orders.

Commissioner Diaz said that he disagreed with this entirely.

Mr. Ruiz clarified that this item would increase the Mayor's authority from half a million to a million dollars. He noted of all the change orders which the department had received under the existing

ordinance, all but two were for changing the time only; one involved an increase of \$468,000 and a decrease of \$400,000; and one involved a \$16 million decrease in the amount of the contract.

Commissioner Diaz said that, going forward, he did not want to give the Committee's authority away. He asked whether it was necessary for the Committee members to vote on this item right now, or whether it could wait until the next meeting.

Deputy Mayor Jack Osterholt said he understood Commissioner Diaz' concerns and would transmit them to the Mayor. He indicated that if Commissioner Diaz wished to meet with the Mayor and his staff over this matter, they would gladly do so.

Commissioner Diaz inquired whether it was necessary for the Committee members to vote on this item today, or whether it could be deferred.

Mr. Osterholt noted this item was not time-sensitive.

Commissioner Edmonson said since this item was not time-sensitive, she would ask for a deferral because she wanted her colleagues to be completely satisfied before moving this item forward.

Chairwoman Jordan noted Commissioner Zapata raised some valid concerns regarding the amount involved, but she also understood the need to expedite this item because of the Consent Decree. She asked Commissioner Zapata when the Infrastructure and Capital Improvements Committee next meet, and noted, if the meeting was on a Monday or Tuesday, there would be sufficient time for the item to be placed on the following Board of County Commissioners (BCC) agenda. She asked the Assistant County Attorney if this was correct.

Assistant County Attorney Bonzon-Keenan confirmed that this was generally the case, subject to the approval of the BCC Chairperson. She indicated that as procurement items did not generally require public hearings or prior advertisement, this would be possible; however, certain exceptions existed.

Chairwoman Jordan said that she was trying to find a middle ground. She pointed out that Commissioner Zapata would be chairing the

DRAFT

Infrastructure and Capital Improvements Committee; it was a new Committee; and she respected his wish to have a Committee hearing. On the other hand, it was important for this item to be expedited because of the Consent Decree, she stressed. Chairwoman Jordan noted she also agreed with Commissioner Diaz that it would be unwise to expand the Mayor's authority to approve change orders.

Hearing no further questions or comments, the Committee members proceeded to defer the item to the February 12, 2013 Committee meeting.

2 COUNTY COMMISSION

2A

130073 Resolution

Barbara J. Jordan

Amended

RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED LAND LOCATED AT NW 207TH STREET AND NW 32ND AVENUE IN MIAMI-DADE COUNTY, FLORIDA TO THE NIGERIAN-AMERICAN FOUNDATION AT NO COST AND IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO ACCOMPLISH THE CONVEYANCE AND AUTHORIZING EXECUTION OF A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE

Report: *See Agenda Item 2A Amended, Legislative File No. 130115, for the amended version.*

2A Amended

130115 Resolution

Barbara J. Jordan

RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED LAND LOCATED AT NW 207TH STREET AND NW 32ND AVENUE IN MIAMI-DADE COUNTY, FLORIDA TO THE NIGERIAN-AMERICAN FOUNDATION AT NO COST AND IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO ACCOMPLISH THE CONVEYANCE AND AUTHORIZING EXECUTION OF A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE [SEE ORIGINAL ITEM UNDER FILE NO. 130073]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Jordan

Seconder: Diaz

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record, and advised that a minor amendment would be read by Assistant County Attorney Debra Herman.*

Assistant County Attorney Herman noted on handwritten page 4, in Section 2, which is the Directive to the Mayor, after the word "therewith," the following language should be inserted: "... to conduct all necessary due diligence associated with the proposed conveyance and to identify any obstacles in connection therewith." She stated that likewise, on page 5, in the first sentence, after the word "accomplished", the following language should be inserted: "... that there are no obstacles to conveyance."

Vice Chairman Zapata inquired how much the land was worth, and asked staff to provide him this information at a later time.

Hearing no further questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as amended.

Chairwoman Jordan resumed the Chair.

3 DEPARTMENTS

3A

122459 Resolution

Sally A. Heyman

RESOLUTION ACCEPTING THE SOUTHEAST FLORIDA
REGIONAL CLIMATE ACTION PLAN WHICH
INCLUDES ACTIONABLE RECOMMENDATIONS FOR
REGIONALLY COORDINATED CLIMATE CHANGE
MITIGATION, ADAPTATION STRATEGIES, AND
EFFORTS IN BUILDING COMMUNITY RESILIENCE
(Regulatory and Economic Resources)

*Forwarded to BCC with a favorable
recommendation*

Mover: Edmonson

Seconder: Monestime

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan
read the foregoing proposed resolution into the
record.*

*Hearing no questions or comments, the Committee
members proceeded to vote on the foregoing
proposed resolution, as presented.*

3B

130033 Resolution

Lynda Bell,

Dennis C. Moss

RESOLUTION TO APPOINT ONE BOARD MEMBER AND
REAPPOINT ONE BOARD MEMBER TO THE
AGRICULTURAL PRACTICES ADVISORY BOARD
(Regulatory and Economic Resources)

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Monestime

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan
read the foregoing proposed resolution into the
record.*

*Hearing no questions or comments, the Committee
members proceeded to vote on the foregoing
proposed resolution, as presented.*

3C

122487 Resolution

RESOLUTION APPROVING A STORMWATER BILLING AGREEMENT WITH THE CITY OF MIAMI GARDENS FOR THE BILLING OF STORMWATER UTILITY CHARGES BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Monestime

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairwoman Jordan relinquished the Chair to Vice Chairman Zapata.

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

Chairwoman Jordan resumed the Chair.

3D

122502 Resolution

RESOLUTION APPROVING A NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT NUMBER 12LANI004; PROJECT NUMBER E12-WASD-02 IN AN AMOUNT NOT TO EXCEED \$550,000 TO LOCKWOOD, ANDREWS & NEWMAN, INC. TO PREPARE THE DESIGN CRITERIA PACKAGE FOR THE REPLACEMENT AND REHABILITATION OF A 72-INCH SANITARY SEWER FORCE MAIN ALONG NORTHWEST/NORTHEAST 159 STREET BETWEEN NORTHWEST 17 AVENUE AND NORTHEAST 10 AVENUE; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Monestime

Seconded: Jordan

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairwoman Jordan relinquished the Chair to Vice Chairman Zapata.

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

Chairwoman Jordan resumed the Chair.

3E

122503 Resolution

RESOLUTION APPROVING AMENDMENT NUMBER TWO TO THE CONTRACT WITH THE CITY OF NORTH MIAMI BEACH PROVIDING FOR WATER SERVICE AND BILLING SERVICES FOR SANITARY SEWER SERVICE CHARGES; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Monestime

Seconder: Diaz

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairwoman Jordan relinquished the Chair to Vice Chairman Zapata.

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

Chairwoman Jordan resumed the Chair.

3F

130084 Resolution

RESOLUTION AUTHORIZING APPROVAL OF THE LANDFILL GAS UTILIZATION SYSTEMS SUPPLEMENTAL AGREEMENT NO.1 FOR THE NORTH DADE AND SOUTH DADE LANDFILLS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Jordan

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairwoman Jordan relinquished the Chair to Vice Chairman Zapata.

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

Chairwoman Jordan resumed the Chair.

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

130005 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE
DECEMBER 12, 2012 INFRASTRUCTURE AND LAND
USE COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Edmonson
Seconder: Diaz
Vote: 5-0
Absent: Barreiro

7 REPORTS

7A

122489 Report

SUNSET REVIEW FOR COUNTY BOARDS FOR 2013 -
LAND ACQUISITION SELECTION COMMITTEE

Report Received
Mover: Diaz
Seconder: Edmonson
Vote: 5-0
Absent: Barreiro

7B

122536 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2013-
BUILDING BETTER COMMUNITIES CITIZEN'S
ADVISORY COMMITTEES

Report Received
Mover: Diaz
Seconder: Edmonson
Vote: 5-0
Absent: Barreiro

7C

122509 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2013 -
MIAMI-DADE COUNTY ENVIRONMENTAL QUALITY
CONTROL BOARD

Report Received
Mover: Diaz
Seconder: Edmonson
Vote: 5-0
Absent: Barreiro

8 ADJOURNMENT